

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHELSEA HOTEL OWNER LLC et al,

:
Plaintiffs,

:
- against -

:
CITY OF NEW YORK et al,

:
Defendants.

USDC SDNY
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21-CV-3982 (ALC) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order addresses the issue reserved by the Court at the discovery conference held on February 27, 2024; specifically, the sufficiency of the City's responses to Plaintiff's third set of interrogatories (numbered 9 through 25). The Court has carefully reviewed each interrogatory, most of which are contention interrogatories, and the City's responses. Under Local Civil Rule 33.3, a party may, at the conclusion of discovery, issue interrogatories "seeking the claims and contentions of the opposing party." However, "courts do not typically compel responses to interrogatories that seek a catalog of all facts or all evidence that supports a party's contentions, because such interrogatories are not likely to narrow the issues." *In re Keurig Green Mountain Single-Serve Antitrust Litigation*, 2020 WL 6920584, at *4 (S.D.N.Y. Oct. 27, 2020) (cleaned up). Here, most of the contention interrogatories at issue are precisely such disfavored "all facts" and "all legal authority" interrogatories. See *Pasternak v. Dow Kim*, No. 10-CV-5045, 2011 WL 4552389, at *2 (S.D.N.Y. Sept. 28, 2011); *Erchonia Corp. v. Bissoon*, No. 07-CV-8696, 2011 WL 3904600, at *8 (S.D.N.Y. Aug. 26, 2011) ("In this District, contention interrogatories, unlike other types of discovery, are not designed to reveal new information

to the opposing side. Rather, they are designed to assist parties in narrowing and clarifying the disputed issues in advance of summary judgment practice or trial.") (internal quotation marks omitted). Moreover, notwithstanding its objections, the City responded substantively to the interrogatories. The Court finds that the City also has sufficiently responded to the interrogatories that do not ask for contentions, with the exception of the following:

No. 20: The City indicated by response to RFP 5 and at the conference that it has no written policies concerning the subject matter of Interrogatory 20, and has not identified any written policies in response to that interrogatory. It is not clear from the City's response, however, whether the City purports to have any unwritten policies concerning the subject matter. Accordingly, the City shall amend its response to Interrogatory 20 to state whether it has any unwritten policies, and if so, describe what they are.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: February 28, 2024
New York, New York

Copies transmitted this date to all counsel of record.